



Minutes for the Travis County Commissioners Court Tuesday, August 2, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
512-854-4722 • www.co.travis.tx.us • PO Box 149325, Austin, TX 78714-9325

Call to Order

Meeting called to order on August 2, 2011, in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to vacate three drainage easements located along the side and rear lot lines of Lot 8, Block 48 of Austin Lake Hills, Section Three in Precinct Three. (Commissioner Huber) (Action Item #15)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:

Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR)

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Citizens Communication

Members of the Court heard from:

Gus Peña, Travis County Resident
Dr. John K. Kim, Travis County Resident
Alethia Artemis, Travis County Resident
Ronnie Gjemre, Travis County Resident

Special Items

2. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

RESULT: DISCUSSED

Clerk's Note: The County Judge announced that by taking no action, the prohibition against outdoor burning stays in place.

Administrative Operations Items

3. Review and approve the immediate release of reimbursement payment to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$897,405.43 for the period of July 15 to July 21, 2011.

RESULT: ADDED TO CONSENT

4. Consider and take appropriate action on proposed routine personnel amendments.

RESULT: ADDED TO CONSENT

5. Consider and take appropriate action regarding the exterior improvements to the Heman Marion Sweatt (HMS) Courthouse:

- a. A new project to improve the exterior lighting and landscape of the HMS Courthouse; and
- b. Authorize source of funding to cover such improvements. (Commissioner Gómez)

Clerk's Note: The Court discussed various ways to improve the exterior of the HMS Courthouse, including cleaning the limestone walls.

Members of the Court heard from:

Roger El Khoury, Director, Facilities Management
Leslie Stricklan, Senior Project Manager, Facilities Management
Belinda Powell, Capital Planning Coordinator, PBO
John Hille, Assistant County Attorney

MOTION: Approve Items 5.a–b.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Justice and Public Safety Items

6. Consider and take appropriate action on License Agreement between Travis County Emergency Services District No. 2 and Travis County for Pflugerville EMS Post Location No. 2 to provide placement of a County EMS ambulance.

RESULT: ADDED TO CONSENT

Purchasing Office Items

7. Approve Modification No. 2 to Contract No. PS110119ML, Graves, Dougherty, Hearon & Moody, P.C., for legal services.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
John Hille, Assistant County Attorney

RESULT: DISCUSSED **Reset for: 8/9/2011**

8. Pursuant to Section 263.151 of the Texas Local Government Code, declare list of certain equipment as surplus property and sell at public auction.

RESULT: ADDED TO CONSENT

9. Pursuant to Section 263.152 of the Texas Local Government Code, declare list of certain equipment as surplus property and authorize same to be disposed of through Dell, Inc.

RESULT: ADDED TO CONSENT

10. Approve contract awards for drug test kits, IFB No. B110174-NB, to the qualified bidders:

- a. Express Diagnostics International, Inc., Item No. 1-03;
- b. US Diagnostics, Item No. 1-04; and
- c. Redwood Toxicology Laboratory, Inc., Item No. 1-05.

RESULT: ADDED TO CONSENT

11. Approve addition of services (Modification No. 1) to Interlocal Agreement No. IL110043LC, Texas Conference of Urban Counties, for participation in the Urban Counties Techshare Program for the Adult Case Management System.

RESULT: POSTPONED **Reset for: 8/16/2011**

12. Discuss and take appropriate action on RFP No. P110047-LC, election night reporting software solution.

Clerk's Note: The Court discussed approving that a letter be sent to the vendor expressing interest in the vendor raising the remaining funds needed for the project from the private sector by November 1, 2011.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Dana DeBeauvoir, Travis County Clerk
Ronnie Gjemre, Travis County Resident
Vicky Karp, Co-Director, VoteRescue

MOTION: Approve Item 12 and authorize the County Judge and Purchasing Agent to sign the letter.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

13. Approve Contract No. 11K00248JW with Apache Shores Property Owners Association for the development and construction of Fort Smith Trail.

Members of the Court heard from:

Steve Manilla, County Executive, TNR

MOTION: Approve Item 13.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

14. Consider and take appropriate action regarding issues related to responses to the Civil and Family Courthouse RFI.

Judge Biscoe announced that Item 14 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
John Hille, Assistant County Attorney

MOTION: Approve the steps recommended in the outline to the Commissioners Court.
RESULT: **APPROVED [3 TO 2]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
NAYS: Karen L. Huber, Margaret J. Gómez

Transportation and Natural Resources Dept. Items

15. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate three drainage easements located along the side and rear lot lines of Lot 8, Block 48 of Austin Lake Hills, Section Three in Precinct Three. (Commissioner Huber)

RESULT: **ADDED TO CONSENT**

16. Consider and take appropriate action on changes to the Low-Income Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program.

Clerk's Note: The County discussed a Staff recommendation to distribute repair vouchers only effective September 1, 2011, due to a decrease in funding from the State.

Members of the Court heard from:

Adele Noel, Air Quality Project Manager, TNR
Tom Weber, Environmental Quality Program Manager, TNR
Jon White, Natural Resources Program Manager, TNR

MOTION: Approve the recommendations in Item 16.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

17. Consider and take appropriate action on a request to sell approximately 7.3 acres of land in N.E. Metro Park to the Pflugerville Community Development Corporation for re-configuration of

area roadway access near S.H. 130 and Pecan Street, in Precinct Two. (Commissioner Eckhart)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Greg Chico, Right-of-Way Manager, TNR

MOTION: Approve Item 17.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

18. Consider and take appropriate action on a proposed amendment to Travis County Purchase Contract between the County as buyer and the Perkoff Family Living Trust (1998) and Johnny Shane Ross as seller in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on the draft Colorado River Corridor Plan and planned town hall meeting. (Commissioners Davis and Gómez)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Randy Nicholson, Comprehensive Planning Manager, TNR
Stefan Pharis, Principal, Bosse & Pharis Associates
Richard McDonald, Travis County Resident

MOTION: Approve Item 19.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: By approving Item 19, the Court authorizes Staff to continue with the draft plan and set a Town Hall Meeting and then bring the dates back to the Court for approval.

Planning and Budget Dept. Items

20. Consider and take appropriate action on budget amendments, transfers and discussion items.

Clerk's Note: The County Judge noted that the following two items would be pulled from Item 20:

- *Amendments Item A1 (associated with Item 11, which has been pulled, and therefore not needed)*
- *Transfer Item T2 – (not needed as the State funding has been received)*

MOTION: Approve the remaining budget amendments and transfers in Item 20.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: Please note that for this Item, references to A1 and T2 refer to numbered items in a separate budget document, not these minutes. See supporting documentation.

26. Consider and take appropriate action on the appointment of Deelyle M. Bryan to the Child Protective Services Board effective immediately through July 31, 2014. (Commissioner Davis)

RESULT: ADDED TO CONSENT

Executive Session Items

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

Note 1: Gov't Code Ann 551.071, Consultation with Attorney

Note 2: Gov't Code Ann 551.072, Real Property

Note 3: Gov't Code Ann 551.074, Personnel Matters

Note 4: Gov't Code Ann 551.076, Security

Note 5: Gov't Code Ann 551.087, Economic Development Negotiations

27. Consider and take appropriate action on potential acquisition of open space land in Precinct Three.²

Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

MOTION: Authorize Staff to negotiate an assignment of option to purchase from the Nature Conservancy of Texas to Travis County for approximately 800 acres of open space parkland on the Pedernales River.

RESULT: APPROVED [4 TO 0]

MOVER: Karen L. Huber, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez

ABSTAIN: Samuel T. Biscoe

28. Consider and take appropriate action on two separate offers to sell largely undeveloped property, comprising about 95 acres and 75 acres of land respectively, and located in a northeastern sector of Travis County.²

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

MOTION: Authorize Staff to negotiate and execute the purchase of 95 acres in northeast Travis County.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

29. Conduct performance evaluations for County Executive Rodney Rhoades and take appropriate action.³

RESULT: PULLED

30. Receive briefing from the County Attorney in Travis County, et al v. Stephen Michael Fletcher (Bruce G. Smith resale deed) and take appropriate action.¹

RESULT: PULLED

31. Consider and take appropriate action regarding the Lease Agreement at 700 Lavaca with Dwyer Murphy Calvert, LLP.^{1 and 2}

Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

MOTION: Authorize the County Attorney and Facilities Management to communicate to the lessee the willingness of the County to enter into a 50/50 split of the rent for the remainder of the contract period starting September 15, 2011.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

MOTION: Approve the following Consent Items: C1–C5 and Agenda Items 3, 4, 6, 8, 9, 10.a–c, 15, 18, 21.a–c, and 26.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

C1. Receive bids from County Purchasing Agent.

C2. Approve payment of claims and authorize County Treasurer to invest County funds.

C3. Approve the Commissioners Court Minutes for the Voting Sessions of July 12 and 19, 2011.

C4. Approve setting a public hearing on Tuesday, August 16, 2011, to receive comments regarding a proposed street name assignment for a private easement to be known as "Shore Vista Cove" off Shore Vista Drive near Quinlan Park Road in Precinct Three. (Commissioner Huber)

C5. Approve setting a public hearing on Tuesday, August 23, 2011, to receive comments regarding a request to temporarily close Rancho Alto Road in Precinct Three for road construction of substandard road beginning October 1, 2011 and continuing through March 15, 2012 or until construction is completed. (Commissioner Huber)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Northwest Travis County Road District No. 3 (Golden Triangle) Tuesday, August 2, 2011 Voting Session

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Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

1. Approve the northwest Travis County Road District No. 3 (Golden Triangle) Minutes for the Voting Sessions of July 12 and 19, 2011.

MOTION: Approve Item 1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



**Minutes for the Travis County
Bee Cave Road District No. 1 (Galleria)
Tuesday, August 2, 2011
Voting Session**

**Minutes Prepared by the Travis County Clerk
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Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

1. Approve the Bee Cave Road District No. 1 (Galleria) Minutes for the Voting Sessions of July 12 and 19, 2011.

MOTION: Approve Item 1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSTAIN: Karen L. Huber

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge